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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,747	11/14/2002	Franklin J. Marks JR.	P02-11	7521
25759	7590	04/20/2004	EXAMINER	
JOHN J. ELNITSKI, JR. 225 A SNOWBIRD LANE BELLEFONTE, PA 16823			KING, ANITA M	
			ART UNIT	PAPER NUMBER
			3632	
DATE MAILED: 04/20/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,747

Applicant(s)

MARKS, FRANKLIN J.

Examiner

Anita M. King

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-7, 11-21 and 23-27 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 22 is/are rejected.
- 7) ☒ Claim(s) 8-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

This is the second office action for application number 10/065,747, Camera Support Assembly and Actuator, filed on November 14, 2002.

Drawings

The drawings were received on January 29, 2004. These drawings are approved.

Cancellation of Claims

Claim 4 has been canceled per applicant's request in correspondence dated January 29, 2004.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,959,792 to Ibrahim in view of U.S. Patent Application Publication 2002/00977321 to McBride. Ibrahim discloses a mirror support and actuator, capable of supporting a camera and actuator, comprising: a Z-shape rod (10) having a handle section (12) at a top, a support section (14) at a bottom, and a middle section between the handle and support sections, said handle and support sections being approximately parallel to a surface and the middle section extending upward from the support section to the handle section; a mirror (16) mounted to the support section; and an actuator (22) mounted on the handle section to cause movement of the mirror;

Ibrahim discloses the claimed invention except for the limitations of a camera and a skid plate. McBride teaches that it is known to have a camera support and actuator (10) comprising a rod having a handle section (14) at a top (24), a camera support section (16) at a bottom, a camera (56) mounted to the camera support section, and a skid plate (40) attached to bottom of the camera support section to support the camera support section above the surface and allow the camera support section to slide over the surface. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the support and actuator assembly in Ibrahim to have included a camera as taught by McBride as opposed to a mirror as disclosed by Ibrahim for the purpose of providing an alternative means for viewing and inspecting the undercarriage of a vehicle. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the support portion of the rod in Ibrahim to have included a skid plate as taught by McBride for the purpose of providing a means for easily sliding the support and actuator along a surface under the vehicle and for the purpose of alleviating strain and stress on the arm of a user caused by preventing the support portion of the rod from contacting the surface under the vehicle during the inspection of the vehicle.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ibrahim combined with McBride and in further view of Japanese Patent JP410197830A to Sekiguchi. Ibrahim combined with McBride disclose the claimed invention except for the limitation of the rod being two pieces and separating along the middle section. Sekiguchi teaches that it is known in the support and inspection art to have a assembly comprising a rod having a handle section (2c), a support section (3) for supporting a mirror (5) at the bottom of the rod, and a middle section between the handle and support sections having two

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pieces (2a & 2b) that separate, and wherein the two pieces are configured to be assembled in multiple positions in relation to each other. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the middle section of the Z-shaped rod in Ibrahim combined with McBride to have included two pieces as taught by Sekiguchi for the purpose of providing a means for adjusting the height/length of the middle section of the rod in order to accommodate various users.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ibrahim combined with McBride and in further view of U.S. Patent 5,707,014 to Chan et al., hereinafter, Chan. Ibrahim combined with McBride disclose the claimed invention except for the limitation of a caster wheel attached to the support section near an intersection of the middle section and the support section. Chan teaches a water jet cleaning apparatus for cleaning the underside of a vehicle, the device comprises top end having a handle section, a bottom end having a support section (14), a middle section between the handle section and the support section, and a caster wheel (54) attached to the support section near an intersection of the middle section and the support section. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the assembly in Ibrahim combined with McBride to have included a caster wheel attached to the support section near an intersection of the middle section and the support section as taught by Chan for the purpose of providing a means for assisting in the movement of the support and actuator during usage.

Allowable Subject Matter

Claims 5-7, 11, 12-21, and 23-27 are allowed.

Claims 8-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed January 29, 2004 have been fully considered but they are not persuasive. The rejections advanced against claims 1-3 and 22 stand.

In response to applicant's arguments that the elements of now canceled claim 4 are not taught or even suggested in any of the references, the skid plate in secondary reference to McBride discloses that the wheels are a part of the skid plate and thus, the skid plate contacts the surface through the wheels.

Conclusion


THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita M. King whose telephone number is (703) 308-2162. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie A. Braun can be reached on (703) 308-2156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Anita M. King
Primary Examiner
Art Unit 3632

April 19, 2004